

**REMARKS**

**A. The Section 112 Rejections**

The Applicant appreciates the Examiner's withdrawal of the §112 rejections.

**B. The Section 103 Rejections**

Claims 1-5, 8-24, 27-39 and 42-52 were once again rejected under 35 U.S.C. §103(a) based on a combination of U.S. Patent No. 6,454,650 to Aronin ("Aronin") and U.S. Patent No. 6,144,942 to Ruckdashel ("Ruckdashel"). Applicant disagrees and traverses these rejections for at least the following reasons.

As the Examiner admits, Aronin does not disclose the sending of a personalized notification, using a user's preferred method of notification, to a user concerning the user's participation in an event as in the claims of the present invention. To make up for this deficiency the Examiner again relies upon Ruckdashel.

Ruckdashel, however, does not disclose or suggest the sending of a notification using a user's preferred method of notification concerning an event the user *is participating in*. Ruckdashel is similar to the references that the Examiner has previously asserted and withdrawn in that it pertains to events a user may participate in.

For example, Ruckdashel states that a notification may be sent "to notify one of the users....of upcoming events on their schedules" (column 4, lines 14-15), or sent "as the specified appointment approaches" (column 5, line 34).

As the Applicant has stated before, the present claims are not directed to an event a user is interested in or may participate in. Instead, the present claims are directed to events a user is “participating in” and related notifications.

Further, Applicant points out that the claims include a notification that is: (1) sent via a preferred method of notification; and (2) related to an event a user is participating in. While Ruckdashel may disclose the former, it does not disclose or suggest the latter.

On page 5 of the Office Action, under the heading “Response to Arguments” the Examiner states that “the claims are given their broadest reasonable interpretation” as a rationale for maintaining the pending rejections. Further, the Examiner states that because the claims do not “specify their participation level or type of participation” the fact “that the user or individual is scheduled to partake in an event and is receiving notification...[the user ] is by definition a participant in the event”. Applicant respectfully disagrees.

Notwithstanding the Examiner’s position that the claims are given their broadest possible interpretation, such an interpretation cannot distort the meaning of the words in a claim. The claims include the words “an event a user is participating in” and “the user’s participation in the event”. Therefore, from the claims it is evident that the event must be ongoing or already begun. The Examiner admits that Ruckdashel is aimed at a scheduled, future event, not one that is currently ongoing. Thus, it is not reasonable to interpret

Ruckdashel's scheduled events as being currently ongoing or already begun nor is it reasonable to interpret Ruckdashel as disclosing or suggesting the claimed notifications that are sent to a user during the user's participation in an event.

Accordingly, Appellant respectfully submits that claims 1-5, 8-24, 27-39 and 42-52 would not have been obvious to one of ordinary skill in the art at the time the present application was filed based on the disclosures of Aronin and Ruckdashel at least because such a combination does not suggest a personalized and preferred notification method concerning an event a user is participating in.

**C. Entry of this Request for Reconsideration**

Entry of this Request for Reconsideration ("Request") is solicited because the Request: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues regarding further search and/or consideration (i.e., the word "currently " was added to more distinctly claim the inventions, not to avoid the cited references and will be deleted if the Examiner does not enter these changes); (c) does not present any additional claims without canceling the corresponding number of finally rejected claims; and (d) places the application in better form for appeal, if an appeal is necessary.

**CONCLUSION**

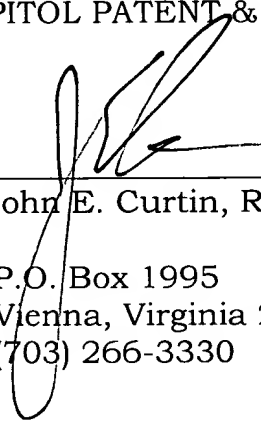
Appellants respectfully request that the Examiner withdraw the rejections and allow claims 1-5, 8-24, 27-39 and 42-52.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John E. Curtin at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 50-3777 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

CAPITOL PATENT & TRADEMARK LAW FIRM, PLLC.

By   
John E. Curtin, Reg. No. 37,602

P.O. Box 1995  
Vienna, Virginia 22183  
(703) 266-3330